

The City Council of the City of Seabrook met in regular session on Tuesday, March 3, 2015 at 7:00 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss, consider and if appropriate, take action on the items listed below.

THOSE PRESENT WERE:

GLENN R. ROYAL	MAYOR
ROBERT LLORENTE	COUNCIL PLACE NO. 1
MIKE GIANGROSSO – Ex. Abs.	COUNCIL PLACE NO. 2
GARY JOHNSON	MAYOR PRO TEM &
	COUNCIL PLACE NO. 3
MELISSA BOTKIN- Ex. Abs.	COUNCIL PLACE NO. 4
THOM KOLUPSKI	COUNCIL PLACE NO. 5
O. J. MILLER	COUNCIL PLACE NO. 6
GAYLE COOK	CITY MANAGER
SEAN LANDIS	ASSISTANT CITY MANAGER
STEVEN L. WEATHERED	CITY ATTORNEY
MICHELE L. GLASER	CITY SECRETARY

Mayor Royal called the meeting to order at 7:00 p.m. and led the audience in the United States and Texas Pledge of Allegiance.

1.0 PRESENTATIONS

1.1 Presentation of a quarterly report on the activities of the Open Space and Trails Committee. (Burton)

Mrs. Burton gave an update on park activities, including the recent opening of the new trails section, planting of trees donated by TXU, adding ground cover at Pine Gully Park, donation by Dow Chemical for new bleachers at the baseball practice field, volunteer activities throughout the city and possible relocation of the small free library that is currently on city hall property. Mrs. Burton also announced that the Parks Department had received an award from H-GAC for the tree planting. She stated that committee members are finalizing a wish list for the next five years. Mayor Royal and councilmembers thanked the committee for their hard work in improving Seabrook.

1.2 Presentation on the Update for the Seabrook Police Department OSSI Software and new capabilities. (Wright)

Chief of Police Sean Wright gave a presentation on the new system which is shared with all other local police departments in this area except Lakeview. The new system will increase efficiency and accountability and is user friendly. He stated that the public can access the statistics generated by the system. George Szakacs, Director of IT, stated that the new system will allow the city to operate remotely if evacuation is necessary. Chief Wright and Mr. Szakacs briefly discussed the request for new equipment as listed in

45 Agenda Item 5.5. Mr. Szakacs state that the useful life of new equipment is typically six
46 years. The new equipment will have a three-year warranty.

47
48 **2.0 PUBLIC COMMENTS AND ANNOUNCEMENTS**

49
50 **2.1 Mayor, City Council and/or members of the city staff may make announcements**
51 **about city/community events. (Council)**

52
53 Mayor Royal announced several upcoming events.

54
55 **3.0 SPECIFIC PUBLIC HEARING(S)**

56
57 **3.1 Request for preliminary approval of El Mar Village Planned Unit Development, a**
58 **townhouse community of approximately 18 units on approximately 2.1640 acres of**
59 **land. (Applicant)**

60
61 Applicant: Charles Anders, PO Box 1244, Friendswood, Texas 77549

62
63 Owner: Sunset Development, Inc., PO Box 798, Friendswood, Texas 77549

64
65 Legal Description: Res 1, 2 and 3, Block 5 in Miramar Subdivision, Section 3, Abstract
66 52, Ritson Morris Survey, Harris County Texas.

67
68 Location: This property is located immediately south of El Mar Lane and west of North
69 Meyer in an R-1 (Single Family Detached) Zoning District.

70
71 John Skeele, President of Bayway Homes and Sunset Development stated that Bayway
72 has built houses in Seabrook for several years. This site previously had non-conforming
73 apartments which were torn down after Hurricane Ike. The proposed new FEMA map
74 will require that the townhouses be constructed on stilts at 16-17 feet in elevation. The
75 ground level at this location is 8-9 feet. Each townhouse unit will be separately owned.
76 As there are only two units in each building, windows can be built on three sides of each
77 unit. The units will be 1,700-1,800 square feet in area and will be two stories with a front
78 porch.

79
80 There were no comments from the public.

81
82 **3.2 Proposed Ordinance No. 2015-04, "Specifying Uses Allowed in the Point Overlay**
83 **District." (P&Z)**

84
85 AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK
86 APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 3, "ESTABLISHMENT OF
87 ZONING DISTRICTS AND ASSOCIATED REGULATIONS", SECTION 3.15
88 "COMPREHENSIVE LAND USE REGULATION MATRIX," BY ADDING THE
89 POINT OVERLAY DISTRICT (POD) AS A LAND USE DISTRICT; BY

SPECIFYING USES BY RIGHT AND CONDITIONAL USES PERMITTED IN THE
POD; AND BY PROVIDING CROSS REFERENCES IN SECTION 3.15 AND IN
ARTICLE 4, "SPECIAL USE REGULATIONS", SECTION 4.15.04, "USES".

THIS ORDINANCE PROVIDES FOR A PENALTY IN AN AMOUNT NOT TO
EXCEED \$2000 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION
INTO THE CODE; REPEALS ALL ORDINANCES OR PARTS OF ORDINANCES
INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDES FOR
SEVERABILITY; AND PROVIDES FOR AN EFFECTIVE DATE

Mr. Landis stated that the Planning and Zoning Commission had recommended refining
the uses allowed in the Point Overlay District. Currently all uses allowed in the Marine
Mixed Use District (MMU) are also allowed in the Point Overlay District (POD.) The
Planning and Zoning Commission had recently reviewed these uses and recommended
limiting uses allowed in the POD as many of the uses in MMU do not conform to the
city's long-term plan for the Point area. Councilor Kolupski asked why churches were to
be allowed in this district as they may have an impact on the ability of restaurants to
obtain liquor licenses. Mr. Landis stated that churches must be allowed in all zoning
districts. Both he and City Attorney Steve Weathered stated that the City Code allows
Council to grant a variance to the distance between a church and a use serving alcohol.

There were no comments from the public.

**3.3 Proposed Ordinance No. 2015-05, "Readopting Curfew Regulations for Minors."
(Wright)**

AN ORDINANCE READOPTING THE CURRENT CURFEW REGULATIONS FOR
MINORS CONTAINED IN THE SEABROOK CITY CODE, CHAPTER 44, SECTION
44-95 "CURFEW FOR MINORS" PROVIDING A PENALTY OF AN AMOUNT NOT
TO EXCEED \$500 FOR EACH DAY OF VIOLATION OF ANY PROVISION
HEREOF; AND PROVIDING FOR SEVERABILITY.

Chief Wright said by law, the curfew ordinance must be reviewed and readapted every
three years to remain in effect. No changes were recommended to the current ordinance.

There were no comments from the public.

4.0 CONSENT AGENDA

4.1 Removed from the Consent Agenda by Mrs. Cook.

4.2 Approve the Seabrook Municipal Court's cancellation of 281 delinquent citations
from 1984 through 1998 as uncollectable. (Webbon)

134 **4.3 Approve the Seabrook Municipal Court's creation of a "Warrant Discount**
135 **Program" (waiving a \$50.00 fee for each warrant collected) for a period of time not**
136 **to exceed four weeks each fiscal year. (Webbon)**
137

138 **4.4 Approve an annual report certifying that the city does not racially profile as**
139 **mandated by the State. (Wright)**
140

141 **4.5 Appoint Sue Harral as Election Judge and Mary Goeckler as Alternate Election**
142 **Judge for the May 9, 2015 General and Special Elections and for the June 13, 2015**
143 **Runoff Election, if applicable. (Glaser)**
144

145 **4.6 Approve the minutes of the regular City Council meeting on February 17, 2015.**
146 **(Glaser)**
147

148 **4.7 Consider approval of Resolution 2015- 05, "Opposing Senate Bill 343"(Royal)**
149

150 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS,
151 OPPOSING SENATE BILL 343 AND ANY OTHER LEGISLATION WHICH
152 WOULD ERODE THE AUTHORITY OF A HOME RULE MUNICIPALITY;
153 FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING
154 AN EFFECTIVE DATE HEREOF.
155

156 **4.8 Approve Resolution 2015-06, "Authorization for Acquisition/Exchange of Real**
157 **Property for the Current City Public Works Yard Pursuant to Sealed Bid Proposal**
158 **Addressed by Council on February 17, 2015." (Cook)**
159

160 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK,
161 AUTHORIZING PROCEEDING WITH THE SEALED BID RECEIVED FROM
162 PACIFIC RIDGE DEVELOPMENT COMPANY, LLC FOR ACQUISITION/
163 EXCHANGE OF CERTAIN REAL PROPERTY FOR THE CURRENT CITY PUBLIC
164 WORKS YARD, (APPROXIMATELY 3.405 ACRES OUT OF THE RITSON MORRIS
165 SURVEY, ABSTRACT 52, HARRIS COUNTY, TEXAS, GENERALLY LOCATED
166 ON LAKESIDE DRIVE AND SH 146), ("PUBLIC WORKS PROPERTY"), TO BE
167 CONVEYED IN EXCHANGE FOR THE BID PROPERTY CONSISTING OF A
168 TRACT OF LAND CONTAINING APPROXIMATELY 8.071 ACRES SITUATED IN
169 THE RITSON MORRIS SURVEY, A-52, HARRIS COUNTY, TEXAS, GENERALLY
170 LOCATED ON LAKESIDE DRIVE WITH TERMINUS OF HUMBLE DRIVE
171 ("EXCHANGE PROPERTY"); DETERMINING COMPLIANCE WITH APPLICABLE
172 BIDDING PROCEDURE; FINDING THE PUBLIC NECESSITY FOR THE
173 EXPENDITURE OF FUNDS, AUTHORIZING THE CITY MANAGER TO PROCEED
174 WITH THE NECESSARY DUE DILIGENCE FOR EVALUATION OF PROCEEDING
175 WITH THE EXCHANGE AND ACQUISITION OF THE SUBJECT PROPERTIES
176 PURSUANT TO THE BID RECEIVED, INCLUDING A LEASE BACK TO THE CITY
177 FOR THE PUBLIC WORKS PROPERTY FOR A DEFINED TIME/TERMS; ALL
178 SPECIFICALLY SUBJECT TO CITY COUNCIL APPROVAL, IN COMPLIANCE

179 WITH ALL APPLICABLE LAWS, REGULATIONS AND CHARTER
180 REQUIREMENTS; FINDING AND DETERMINING THAT THE MEETING AT
181 WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED
182 BY LAW.
183

184 **4.9 Consider approval of Resolution 2015-07, "Opposing Revenue Cap." (Cook)**
185

186 A RESOLUTION OF THE CITY OF SEABROOK TEXAS IN OPPOSITION TO A
187 REVENUE CAP AND LEGISLATIVE INTERFERENCE WITH LOCAL SERVICES
188

189 **4.10 Approve proposed Resolution No. 2015-08, "Designating an Additional Location for
190 the Display of Public Notices." (Glaser)**
191

192 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS
193 DESIGNATING AN ADDITIONAL LOCATION ON CITY PROPERTY FOR
194 PROVIDING COMPLETE COPIES OF OFFICIAL NOTICES WHEN THERE IS
195 INSUFFICIENT SPACE ON THE OFFICIAL BULLETIN BOARD.
196

197 Motion was made by Councilor Johnson and seconded by Councilor Miller
198

199 To approve the Consent Agenda with the exception of Item 4.1.
200

201 MOTION CARRIED BY UNANIMOUS CONSENT.
202

203 **END OF CONSENT AGENDA**
204

205 **4.1 Approve reappointments of John Dolan and Sue Langgard as regular members of
206 the Board of Adjustment and Richard Nguyen as an alternate member, all with two-
207 year terms expiring January 2017. (Council)**
208

209 Motion was made by Councilor Llorente and seconded by Councilor Johnson
210

211 To table this item at the request of the city manager.
212

213 MOTION TO TABLE CARRIED BY UNANIMOUS CONSENT.
214

215 **5.0 NEW BUSINESS**
216

217 **5.1 Consider first and final reading of proposed Ordinance No. 2015-06, "Amendment
218 to the FY 2013/14 Budget."**
219

220 AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR
221 BEGINNING ON OCTOBER 1, 2013 AND ENDING ON SEPTEMBER 30, 2014 FOR
222 THE CITY OF SEABROOK.
223

Motion was made by Councilor Llorente and seconded by Councilor Johnson

To approve Ordinance No. 2015-06 on first and final reading, with the reading of the caption serving as the reading of the ordinance.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.2 Consider request for preliminary approval of El Mar Village Planned Unit Development which consists of approximately 18 units on 2.1640 acres of land south of El Mar Lane and west of North Meyer. (Applicant)

Motion was made by Councilor Miller and seconded by Councilor Llorente

To grant preliminary approval to the El Mar Village Planned Unit Development.

In answer to question from Mayor Royal, Mr. Landis stated that the new preliminary FEMA maps which have not been finally adopted will require an elevation of 16-17 feet. Mr. Landis stated that he recommends that all builders build to the new maps, so they will be conforming when the maps change.

Councilor Johnson asked why the plan did not contain any architectural standards as contained in previous Planned Unit Development projects. Mr. Weathered stated that preliminary approval is an up or down vote. Conditions on the PUD can be required by Council at the time of final approval. Both Councilor Johnson and Councilor Llorente stated that they would like to see the applicant add architectural standards for the project.

MOTION TO GRANT PRELIMINARY APPROVAL CARRIED BY UNANIMOUS CONSENT.

5.3 Consider first reading of proposed Ordinance No. 2015-04, "Specifying Uses Allowed in the Point Overlay District. (P&Z)"

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 3, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", SECTION 3.15 "COMPREHENSIVE LAND USE REGULATION MATRIX," BY ADDING THE POINT OVERLAY DISTRICT (POD) AS A LAND USE DISTRICT; BY SPECIFYING USES BY RIGHT AND CONDITIONAL USES PERMITTED IN THE POD; AND BY PROVIDING CROSS REFERENCES IN SECTION 3.15 AND IN ARTICLE 4, "SPECIAL USE REGULATIONS", SECTION 4.15.04, "USES".

THIS ORDINANCE PROVIDES FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALS ALL ORDINANCES OR PARTS OF ORDINANCES

INCONSISTENT OR IN CONFLICT HERewith; PROVIDES FOR SEVERABILITY; AND PROVIDES FOR AN EFFECTIVE DATE.

Councilor Johnson asked why the Commission recommended allowing commercial parking lots in this area. Mr. Landis stated that parking is currently limited in this area, and parking on the street has caused problems.

Mr. Landis stated that the use "dinner theatre" should have been listed as a "use by right" in the POD.

Motion was made by Councilor Kolupski and seconded by Councilor Johnson

To approve proposed Ordinance No. 2015-04 on first reading with the reading of the caption serving as the reading of the ordinance with the correction of adding the use of "dinner theatre" as a "use by right."

MOTION CARRIED BY UNANIMOUS CONSENT.

5.4 Consider first reading of proposed Ordinance No. 2015-05, "Readopting Curfew Regulations for Minors." (Wright)

AN ORDINANCE READOPTING THE CURRENT CURFEW REGULATIONS FOR MINORS CONTAINED IN THE SEABROOK CITY CODE, CHAPTER 44, SECTION 44-95 "CURFEW FOR MINORS" PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$500 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; PROVIDING FOR SEVERABILITY AND PROVIDING FOR NOTICE.

Motion was made by Councilor Johnson and seconded by Councilor Miller

To approve proposed Ordinance No. 2015-05 on first reading with the reading of the caption serving as the reading of the ordinance.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.5 Consider approval of a proposal from CDWG for 16 new Panasonic Toughbooks laptops in the amount of \$58,000.00 and a proposal from Emergency Vehicle Specialists (EVS) for docking station equipment in the amount of \$16,597.58 for a total of \$74,597.58 from General Fund reserves. CDWG and EVS are state approved and pre-bid vendors. (Wright)

Mrs. Cook stated that this would be paid for in the FY 2014/15 budget if approved.

Motion was made by Councilor Llorente and seconded by Councilor Johnson

To approve the request for laptops as presented.

Councilmembers asked that in the future, such items be considered during the budget process.

MOTION CARRIED BY UNANIMOUS CONSENT.

6.0 ROUTINE BUSINESS

6.1 Approve the Action Items Checklist which is attached and made a part of this agenda. (Council)

Mrs. Cook gave an update on the feasibility study for fiber optics and on the Todville Road improvements. Mayor Royal gave an update on TxDOT's plans to widen SH 146.

Motion was made by Councilor Kolupski and seconded by Councilor Llorente

To approve the Action Items Checklist.

MOTION CARRIED BY UNANIMOUS CONSENT.

6.2 Establish future meeting dates and agenda items. (Council)

Mrs. Glaser reminded Council of the special joint meeting with the Planning and Zoning Commission on March 17 at 6 p.m. to consider preliminary approval of the senior apartment complex planned unit development (PUD) on Repsdorph Road. Council also decided to hold an additional joint meeting on April 7 at 6:00 p.m. to consider final approval of the El Mar Village PUD.

Upon motion, Mayor Royal adjourned the meeting at 8:26 p.m.

Approved this 17th day of March 2015.



Glenn R. Royal, Mayor



Michele Glaser, TRMC
City Secretary

